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United States of America

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FELICIA SHAW,

Defendant.

CASE NO. 2:23-CR-00150 DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: January 18, 2024
TIME: 9:00 a.m.
COURT: Hon. Daniel J. Calabretta

STIPULATION

1. This matter was set for status conference before the Honorable Daniel Calabretta on January 18, 2024. ECF No. 51. Time has been excluded through and including January 18, 2024. *Id.*
2. By this stipulation, the government and defendant Felicia Shaw (“the parties”) request to set a status conference on April 11, 2024, and to exclude time between January 18 and April 11, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Discovery associated with this case and produced to date includes reports, photographs, and other digital evidence which has been either produced directly to counsel and/or made available for inspection and copying.
 - b) The government has additional discovery to produce and/or make available that is voluminous and includes reports, subpoena returns, social media evidence, and other digital

1 evidence.

2 c) Counsel for the defendant desires additional time to consult with their client,
3 review the current charges, conduct investigation and research related to the charges, to review
4 and copy discovery for this matter, and to otherwise prepare for trial. Counsel for the defendant
5 believes that the failure to grant the above-requested continuance would deny them the
6 reasonable time necessary for effective preparation, taking into account the exercise of due
7 diligence.

8 d) The government joins the request to continue.

9 e) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of January 18, 2024, to and including
14 April 11, 2024 is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
15 T4] because it results from a continuance granted by the Court at defendants' request on the basis
16 of the Court's finding that the ends of justice served by taking such action outweigh the best
17 interest of the public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

21 IT IS SO STIPULATED.

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1 Dated: January 16, 2024

PHILLIP A. TALBERT
United States Attorney

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3 /s/ ALEXIS KLEIN
ALEXIS KLEIN
ROSS PEARSON
4 Assistant United States Attorneys

5 Dated: January 16, 2024

6 /s/ PHILLIP COZENS
PHILLIP COZENS
7 Counsel for Defendant
FELICIA SHAW

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10 **ORDER**

11 The Court, having received, read, and considered the parties' stipulation, and good cause
12 appearing therefrom, adopts the parties' stipulation in its entirety as its order. The Court vacates the
13 January 18, 2024, status conference and resets the matter for a status conference on April 11, 2024, at
14 9:00 a.m. The Court also finds that based on the facts set forth in the parties' stipulation, the failure to
15 exclude time between January 18, 2024 and April 11, 2024, would deny counsel reasonable time
16 necessary for effective preparation, taking into account the exercise of due diligence. The Court further
17 finds that the ends of justice served by the continuance outweigh the best interests of the public and the
18 defendant in a speedy trial. Time from January 18, 2024, to and including April 11, 2024, is excluded
19 from the computation of time within which the trial of this case must commence under the Speedy Trial
20 Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Local Code T-4, as to defendant Shaw.

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22 IT IS SO FOUND AND ORDERED this 16th day of January 2024.

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24 /s/ Daniel J. Calabretta
THE HONORABLE DANIEL J. CALABRETTA
25 UNITED STATES DISTRICT JUDGE